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ELIMINATION OF RACIAL DISCRIMINATION

MONITORING THE TRANSITION TO DEMOCRACY IN SOUTH AFRICA

Report on the mission to South Africa by the Special Rapporteur, Ms. Judith Sefi Attah, from 24 November to 2 December 1993

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Introduction

1. In its resolution 1992/6 of 21 August 1992 the Sub-Commission on Prevention of Discrimination and Protection of Minorities recommended that a special rapporteur be appointed from among its members to report on the progress towards democracy, equality and justice in South Africa. Ms. Judith S. Attah was appointed Special Rapporteur, with the responsibility of submitting a report annually on the transition to democracy in South Africa.

2. In letter and spirit, the resolution recognized the need for the human rights bodies of the United Nations to continue to contribute to the process of total eradication of apartheid in South Africa - a process which is widely acknowledged to have started with the adoption by the United Nations General Assembly of the Declaration on Apartheid and its Destructive Consequences in Southern Africa at its sixteenth special session in December 1989.

3. Consequently, the Commission on Human Rights in its resolution 1993/19 of 26 February 1993 endorsed the appointment of the Special Rapporteur, whose mandate was confirmed by the Economic and Social Council in its resolution 1993/45.

4. The Special Rapporteur submitted a preliminary report (E/CN.4/Sub.2/1993/11) to the Sub-Commission at its forty-fifth session. The report examined the various steps being taken to create a new democratic, non-racial and united South Africa in which all its citizens would enjoy equal political participation in the affairs of the country, in accordance with international human rights instruments. It noted that positive but slow political developments were taking place in South Africa.

5. The report also considered the phenomenon of violence and its impact on the enjoyment of the right to life, and concluded that although some steps had been taken to prevent violence between the various political groups with a view to protecting their right to life, violence had the capacity not only to impede the process of transition to democracy in the country, but to remain a feature of the South African society in the foreseeable future.

6. In addition to the other causes of violence identified, the preliminary report attributed the long-term nature of the threat to the right to life which violence poses in South Africa to the socio-economic inequalities bequeathed by apartheid. The report outlined some of these inequities as they affect the social and economic rights of a majority of South Africans, as well as current efforts directed at improving the enjoyment of those rights. It also examined some of the known impediments to the transition to democracy in South Africa and the role of the international community in the endeavour, and set out a number of recommendations on how the creation of a new South Africa where the fundamental human rights of all its citizens were respected and promoted could be facilitated.

7. Given that the preliminary report was established as the result of monitoring events in South Africa from a distance, the Special Rapporteur expressed the wish in that report to be provided with the opportunity to visit South Africa so as to gain first hand understanding of the dynamics of the transition process as they affected the enjoyment of the fundamental human rights of the people.

8. Having considered the preliminary report, the Sub-Commission adopted resolution 1993/1 on 13 August 1993, in which it requested the Secretary-General to contact the Government of South Africa with a view to enabling the Special Rapporteur to undertake a mission to South Africa during the period of preparation of her second report. Consequently, the Centre for Human Rights addressed a letter to the Permanent Mission of South Africa to the United Nations Office at Geneva, informing it of the desire of the Special Rapporteur to visit South Africa in order to fulfil her mandate.

9. The Centre also informed the Permanent Mission of the Special Rapporteur's desire to meet with officials and persons from the public, economic and social sectors in South Africa in a position to shed some light on various aspects of the question. On 23 September 1993, the Permanent Mission of South Africa, in response to the request, informed the Centre for Human Rights of the South African Government's willingness to receive the Special Rapporteur, at her convenience.

10. A mission to South Africa therefore took place from 24 November to 2 December 1993. It coincided with a period in the transition process during which important negotiated transitional legislation had either been concluded or was nearing completion. Two officers of the Centre for Human Rights accompanied the Special Rapporteur. The mission established contact and held broad-based consultations with high-ranking representatives of the Government and of major parties in the current political process towards a non-racial, democratic South Africa. The mission also held discussions and exchanged views with a wide range of civic and religious leaders, as well as with representatives of various non-governmental organizations, the Commonwealth Observer Mission (COMSA) and the United Nations Observer Mission (UNOMSA). A schedule of meetings held in South Africa during the visit is annexed to the present report.

11. Given the time-frame of the mission, this report is neither exhaustive nor elaborate. None the less, it addresses some aspects of the Special Rapporteur's mandate as set out in the relevant resolutions by distilling and presenting the views expressed and the impressions formed after the contacts and consultations. Arising from those views and impressions, a number of recommendations have also been made.

12. The Special Rapporteur extends her special thanks to the Government of South Africa, the Centre for Human Rights and the United Nations Observer Mission in South Africa, for facilitating this mission. She also wishes to thank all the political parties, church groups and non-governmental organizations consulted, whose frankly expressed views were invaluable to the mission's mandate.

I. EQUAL POLITICAL PARTICIPATION

13. At the time of the mission to South Africa, some key political structures that would ensure equal political participation by all South Africans in the transition to democracy had been agreed upon in the Multiparty Negotiating Process (MPNP). Chief among these is the agreement reached in early September by the multiparty negotiators on the creation of a multiracial Transitional Executive Council (TEC) which would effectively run the country until the first elections in April 1994. This agreement was enacted into law by the South African Parliament on 23 September 1993.

14. As conceived, the TEC is to facilitate, in conjunction with all existing legislative and executive governmental structures at the national, regional and local levels, the implementation of transition to a democratic order in South Africa by creating and promoting a climate for free political participation throughout the country. The TEC is expected to achieve this by:

(i) Eliminating all impediments to legitimate political activities;

(ii) Eliminating any form of intimidation which has a bearing on the transition process;

(iii) Ensuring that all political parties are free to canvass for support, organize and hold meetings and to have access to all voters for the purposes of campaigning for support;

(iv) Ensuring that no government or administration exercises any of its powers in such a way as to advantage or prejudice any political party; and

(v) Promoting conditions conducive to free and fair elections.

15. Although the TEC will have a veto over all administrations and government, and also over the so-called homelands, in matters of executive action, its jurisdiction is limited to those areas specified in the Act. The TEC is therefore to exercise its duties by means of seven specific subcouncils for regional and local governments; law and order; stability and security; defence; finance; foreign affairs; and the status of women.

16. Enabling legislation for the establishment of an Independent Electoral Commission (IEC) had also been approved by the Negotiating Council of the MPNP and passed by Parliament last September. Expected to commence its activities in December 1993 or January 1994, the Electoral Commission has responsibility for the conduct, supervision, monitoring and adjudication of the elections for the national parliament and/or a constituent assembly, as well as the other legislatures to be established in respect of States, provinces or regions.

17. The IEC Act outlines the powers, duties and functions of the Commission and provides for the establishment of requisite substructures such as an election administration directorate, an election monitoring directorate, an election adjudicating directorate, as well as an electoral code of conduct for political parties. It is envisaged that the IEC will be composed of not less than 7 and not more than 11 members. It may also have up to 5 members

drawn from the international community who will have the same rights and prerogatives as the other members of the Council, but will have no vote and will not constitute part of the quorum.

18. In accordance with the provisions of the IEC Act, an Electoral Act covering the electoral arrangements for the 27 April 1994 elections had been agreed upon at the MPNP. Adopted by the South African Parliament in October 1993, the Electoral Act provides for the establishment of an administrative structure to run the elections. It also addresses the question of franchise, the preparation for voting, the nature of ballot papers, illiterate voters, election agents and electoral offences.

19. In addition to the TEC, IEC and Electoral Acts, the month of October 1993 also witnessed the adoption by the South African Parliament of the Independent Media Commission (IMC) Act and the Independent Broadcasting Authority (IBA) Act. While the IMC will be responsible for regulating the media to ensure equitable treatment of all political parties during the election campaign, the IBA will be responsible for assigning broadcasting licences and regulating licences.

20. An additional step, taken before the mission to South Africa, to ensure equal political participation for all South Africans was the ratification on 18 November 1993 of an interim constitution for the transition to democracy in South Africa by leaders of the 21 parties participating in the Multiparty Negotiating Process. Under the constitution for the transitional period, a government of national unity is proposed, to govern the country for five years from April 1994, after which elections under a new permanent Constitution will be held. Any party winning over 5 per cent of the popular vote in next April's election is entitled to a seat in the interim cabinet.

21. The national parliament will consist of a 400-member national assembly elected on the basis of proportional representation and a 90-member senate which will comprise 10 members each elected by the 9 provincial legislatures. The National Assembly will elect the President of the country while, in the general elections, all South Africans will cast a single ballot for the party they choose to represent them in both the National Assembly and in the legislatures of the province where they reside. The full parliament will serve both as an interim parliament and as a constituent assembly mandated to draw up South Africa's permanent constitution. The Interim Constitution provides for the establishment of nine provincial legislatures for the nine provinces and effectively abolishes the "homelands" and "self-governing territories". These assemblies will administer education, health, police and other services at the provincial level.

22. The Interim Constitution includes a bill of rights which, inter alia, guarantees equality of race and gender; freedom of speech, assembly and movement; the right to vote; the right to a fair trial; the right not to be exposed to torture and cruel or inhuman punishment; and the right of those dispossessed under apartheid to seek restitution. The Bill of Rights limits the President's power to declare a state of emergency and provides for the establishment of an 11-member constitutional court to resolve any dispute or

conflicts of interpretation of the constitution between the different levels of government as an ultimate guarantee that the rights of all South Africans enshrined in the constitution will be respected and protected.

23. During the mission to South Africa, various parties and groups expressed the feeling that the Interim Constitution of negotiated principles and guidelines could usher in a new era of democratic values and a democratic system in South Africa. The Parliament, which was meeting at the time of the mission, was going to consider the Interim Constitution after ongoing negotiations between all concerned parties had been concluded. The bilateral negotiations and talks were designed to give some opposition groups, such as the Freedom Alliance, an opportunity to introduce amendments. The Interim Constitution would serve as the basis of a final constitution once the Government of National Unity begins to function.

24. Almost all groups and parties contacted in South Africa acknowledged the establishment of the TEC, which held its first formal meeting on 9 December 1993, to be an important milestone in representative government since, for the first time, persons of all races in South Africa now participate in a national government body. In the interest of peace and stability, the necessity of maintaining the scheduled date for the elections, that is 27 April 1994, was emphasized to the mission, while the IEC Act, the Electoral Act, the IMC and the IBA were all considered necessary instruments that would provide the enabling environment for equal political participation by all South Africans in the transition to democracy. The need for all political parties and groups to participate in the April elections in order to ensure the general acceptability of the results was emphasized to the mission.

25. The mission noted with satisfaction the role of the South African Churches to this end. Along with other members of the Independent Forum for Electoral Education (IFEE), they have successfully launched a major campaign of voter education. Working in concert with other non-governmental organizations, a coalition has been established of independent voter educators who cooperate with 14 radio stations and a number of television stations to carry the message of the political transition process across to the people in the form of discussion groups, comedy and advertisements. The objective is to enlighten the estimated 22 million eligible voters, 40 per cent of whom are illiterate, on the necessity of availing themselves of their democratic right to vote and the need to obtain a South African identity document in order to vote. Sometimes, mobile vans are used to reach rural areas and township communities for the same purpose.

26. Although the voter education efforts of the IFEE received positive comments from a cross-section of the parties consulted as having the capacity to enhance free and fair elections in South Africa, some gaps were identified in the voter education programmes. It was noted in particular that because of the vast distances and deprivation, some rural inhabitants may be disenfranchised. Fears were also expressed that disenchanted civil servants might seek to distort the electoral process in regard to the identity document which is issued by the Ministry of Home Affairs. The Mission also learnt of the potential for fraud to the benefit of one party by the issuing of

South African citizenship identity documents to people recruited from neighbouring countries.

27. It is the understanding of the mission that the cost of passport photographs for indigent persons will be borne by the South African Government and that an estimated 2 million persons have yet to be issued with identity cards.

28. In addition, the mission learnt that people who had been informed of the secrecy of the ballot were reportedly being told by some employers that they risked losing their employment if they did not vote for a certain party.

29. A widely held view is that certain players are unwilling to give up the political power they now enjoy; hence their opposition to the process of democratization through negotiations. Although, under the Interim Constitution the so-called homelands have been abolished, certain "homeland" governments have resisted their reincorporation in a new South Africa. The mission noted that in the event of continued refusal by Bophuthatswana, Ciskei and Kwazulu to accept, before the elections, the package of reincorporation legislation, up to 2 million South Africans may be unable to exercise their political rights.

30. Members of the right-wing Afrikaner Peoples Front, which is united with the three homeland governments under the banner of the Freedom Alliance, may also not exercise the right to vote within the context of the process of democratization if their conditions are not reconsidered. These white conservatives are reported to be seeking exercise of the right to self-determination in an area equivalent to 18 per cent of the total land mass of South Africa although their population does not match this figure.

31. While it was readily admitted that the "Freedom Alliance" is indeed a "fragile alliance", given that the recalcitrant homelands may not be able to exist without the funding of the central Government, and given that the ultra-right-wing whites cannot survive without financial support from foreign right-wing groups, the need was often stressed for minority rights to be protected in a new South Africa. However, there appeared to be a convergence of views that in the circumstances of the South African situation, the problem cannot be solved as a constitutional right but by administrative arrangement. The political polarization which the position of members of the Freedom Alliance is precipitating is considered inimical to the transition process currently under way in South Africa.

II. VIOLENCE

32. A view broadly shared by those consulted in South Africa was that the right of all eligible South Africans to participate in all facets of the transition process and the right of all political parties to conduct peaceful political activities throughout the country risk being undermined by violence and intimidation. Concern was expressed about the enormity of the problem, which seems to be subjecting South Africans to rule by AK-47 assault rifles.

33. Although lack of political tolerance among the parties, poverty and underdevelopment, easy access to sophisticated weapons and the activities of criminal elements within and outside the political groups were identified as likely causes of violence, there continues to be widespread belief that the sporadic outbreak of violence in the townships, which tends to increase in proportion to major political events in the country, is being orchestrated by a "third force".

34. Opinions differ as to the identity and composition of members of this force, but there is a general belief that it is a loosely knit grouping of disaffected security force members, right-wing elements and mercenaries. These armed groups operate in a very professional manner, either as drive-in killers or assassins, and are reportedly difficult to apprehend because of the apparent patronage of Government.

35. It was underscored by many parties that the inability or unwillingness of the security forces to contain the violence or apprehend the perpetrators has reinforced public mistrust of the police and fuelled suspicion that the Government has knowledge of the destabilizing activities of elements within the security forces which do not want change. There was a feeling also that the perpetrators of violence are well known to the security forces and could be rounded up at any time.

36. The mission took note of allegations of security force misconduct and abuses, with particular reference to the Internal Stability Unit. It was felt that some tactics of the Unit, including up to 30-day detention without charge or trial, torture by electric shock and partial suffocation, often contributed to rather than deterred violence. The name "Internal Stability Unit" was considered by many to be a misnomer. The disbanding of the outfit, which is believed to comprise members of the discredited and infamous Battalions 31 and 32, was deemed of critical importance in efforts to reduce the incidence of violence and protect the people's right to life.

37. Reservations were expressed about the legitimacy of National Peace Accord structures which are seen to be Government created. The view is held that the people the Goldstone Commission was established to serve are increasingly losing confidence in it since, in spite of its having very ably investigated 250 cases and issued 28 reports, no one has yet been convicted. Widespread frustration on the part of victims of violence is therefore reported to be prevalent and to have the possibility of creating a situation where people begin to feel that they can also take the law into their own hands to remedy an injustice done to them.

38. The mission was informed that the culture of intolerance among the various groups in South Africa has, in addition to precipitating violence, created a considerable measure of antagonism and underlying fear among the people. In such a climate, intimidation has become a potent weapon in the hands of opponents of the transition to democracy. Intimidation of witnesses of violence is reported to be jeopardizing police investigations; while the intimidation of voters on their way to or from the polling booths during the elections on 27 April 1994 is considered a very real possibility.

39. One source of intimidation is marginalized uneducated youth which is not accountable to adult authority. A potent force in the hands of political opponents, their activities in some areas of the country have reportedly resulted in the creation of "no-go" areas where other political parties cannot venture for election campaign purposes. The mission therefore was alerted to the serious threat to free and fair elections which the practitioners of political intimidation pose to the democratization process.

40. Discussions with various parties and groups confirmed strong support for the early creation of the national multiparty peace-keeping force envisaged in legislation on the TEC subcouncil on law and order. The peace-keeping force is planned to be composed of members drawn from the South African Police, the South African Defence Force, the military wing of the African National Congress (ANC), elements from the "homeland" security forces, the Kwazulu Police and possibly the military wing of the Pan-Africanist Congress, the Azania Peoples Liberation Army.

41. The force will have a somewhat less significant role than the other police and security forces in the country given that only one third of the estimated 10,000 men will be in action at any one time, spread out over numerous potential areas of unrest. None the less, it is hoped that such a force will provide the necessary sense of security which the present police force does not provide. To achieve this, the importance of a clear and unambiguous command structure for the multiparty force was emphasized.

42. The mission was informed that in addition to the peace-keeping functions of the multiparty force, the discredited Internal Stability Unit would still need to be deployed and the South African Defence Force could be called into areas where the situation threatened to get out of control. Information made available to the mission from government sources indicates that 40,000 policemen have been earmarked for peace-keeping duties during the elections, while an additional 6,000 police reserves may also be called out if necessary. In the face of the threat from the right wing, the Army is reported to have indicated its willingness and preparedness to contain the threat in defence of the State.

43. The danger arising from the utterances of some political leaders was also stressed by a cross-section of those consulted. It was pointed out that the "war-talk" of these leaders tended to portray violence and conflict as a viable option of political interaction. The need for every leader in South Africa to desist from making inflammatory statements that could incite communities to civil disobedience was therefore emphasized.

44. The mission took note of the invaluable activities of the 13 non-governmental organizations affiliated in the Network of Independent Monitors of Violence. It also recognized the importance of the statement issued by the Summit of All Black Leaders in South Africa which was held in Johannesburg on 1 December 1993. It was the impression of the mission that the 1 December Summit, which addressed the question of violence, indicated the willingness and commitment of some sections of the political leadership in South Africa to foster the process of peaceful transition to democracy in the country.

III. ROLE OF THE INTERNATIONAL COMMUNITY

45. There is clear evidence of profound and irreversible changes taking place in South Africa; significant developments also continue to occur in the country's relations with the international community. Following a recent appeal by Mr. Nelson Mandela and at the recommendation of the Organization of African Unity, the United Nations General Assembly decided on 8 October 1993 to remove all prohibitions or restrictions on economic relations with South Africa. The General Assembly also pronounced the international oil embargo on the country of no effect as of the date on which the Transitional Executive Council became operational.

46. The Commonwealth, the European Union and many individual Governments have responded to this decision of the General Assembly by removing bans and other restrictive measures; others have begun the process of opening, resuming or expanding their diplomatic presence in South Africa.

47. In response to a recent joint plea by Mr. Mandela and President De Klerk to institutional investors and corporate executives and bankers to invest in and trade with the country, a number of foreign banks have agreed to reschedule $5 billion of debt which had been due for repayment by the end of 1993. The deal, which will run until 2001, will enable foreign creditors to convert debt into investment using the South African rand as an additional incentive.

48. There are indications that the World Bank is prepared to contribute long-term development assistance as soon as detailed projects have been worked out and studied. In addition, it is understood that the parties involved in the Multiparty Negotiating Process have agreed on the contents of a letter of intent to accompany an application to the International Monetary Fund for a $800 million loan that would offset South Africa's losses caused by the drought in the region.

49. At its Heads of Government meeting in Cyprus from 21 to 25 October 1993, the Commonwealth endorsed the appeals by President De Klerk and Mr. Mandela for foreign investment in and increased trade with South Africa to help overcome the social and economic legacy of apartheid. The Heads of Government recognized the historic significance of the 27 April 1994 election and noted the difficulties in the way of a free and fair election in view of the prevailing circumstances in the country.

50. They therefore agreed that a considerable international observer presence would be indispensable if confidence in the transition process was to be assured and the people of South Africa enabled to cast a valid ballot. They saw a Commonwealth Election Observer Group as an important part of that wider international presence. Consequently, the Commonwealth intends to increase its observer presence to 60 persons, to be active in South Africa until after the elections.

51. The European Union also intends to make available some 312 observers for the elections in South Africa, 50 of whom would be in place by January 1994. The European Union has already approved plans to establish an elections unit in South Africa, consisting of a team of expert advisers, to liaise with

the Transitional Executive Council and other relevant bodies on monitoring arrangements and coordination. The role and status of observers and monitors during the forthcoming elections in South Africa will be determined by the Independent Electoral Commission, as provided for by the relevant sections of the Act.

52. During the mission to South Africa, almost all the groups and parties consulted, adjudged the role of the international community in the transition to democracy very constructive and were supportive of international participation in the April 1994 elections. While there were mixed opinions as to the actual electoral role of the international community, (i.e. limited to observer duties only or more active participation like the deployment of an international peace-keeping force), it was almost a unanimous view that a concerted international observer presence under the overall coordination of the United Nations will be needed prior to, during and after the elections.

53. Such a presence, it was argued, should be large enough to ensure that every one of the estimated 9,000 polling stations is serviced by an international observer. There was also general agreement among most political players that the putting in place of these observers should be effected as soon as possible, since, as the United Nations Observer Mission and other such intergovernmental missions have proved, their presence at rallies and demonstrations could be instrumental in reducing violence and providing the needed assurance to the people of international commitment to the democratization process. It would also help in ensuring that the election is free and fair, making it possible for all the parties and groups to accept the result.

IV. CONCLUSIONS AND RECOMMENDATIONS

54. Having considered the views expressed by a cross section of the political players and groups in South Africa on the question of equal political participation, violence and the role of the international community, the mission formed the impression that the process of change through peaceful negotiations, although now at an irreversible stage, is still fragile.

55. There is no doubt that South Africa now stands on the threshold of a new era that is full of promise. There is equally no doubt that the culture of consultation and negotiation across old barriers which has been evolving in South Africa over the past three years portends that political leaders representing the diversity of South Africa's people will be able to shape the future of their country. None the less, the road from a regime of segregation, under apartheid, to a new non-racial democracy in which the fundamental human rights of all citizens are respected and promoted remains fraught with uncertainties and dangers.

56. There is the danger posed by the continuing incidence of violence and the apparent inability of the Government to contain it. Although the phenomenon of violence appears to be shifting from prevalence to pockets of unrest, particularly in the East Rand, Natal and Kwazulu regions, its effects, coupled with political intimidation constitute a formidable obstacle to the transition to democracy in South Africa.

57. Political intolerance is also an impediment within the South African context. Intolerance lies beneath the existence of the so-called no-go areas. Intolerance also seem to be the cement holding members of the Freedom Alliance together. Although the system of apartheid must be blamed for estranging the various communities in South Africa, the time appears auspicious for all political leaders to realize that the future of South Africa must be shaped, not with rifles and spears, but with patient dialogue, tolerance and rational understanding of what their interdependence means for their own longer-term interests.

58. The Mission also identified the illiteracy of a large majority of South Africans as an impediment to the democratization process. There appears to be a correlation between illiteracy and poverty and, as the Mission learnt during consultations. There is widespread belief that apart from the problem which illiterate voters pose to the conduct of free and fair elections, failure to fulfil the expectations of the poor will constitute a grave danger if their expectations are not fulfilled after the April 1994 elections.

59. The mission therefore recommends:

(a) That the United Nations begin to initiate and coordinate among its offices and agencies, a process of detailed planning of programmes of socio-economic assistance, particularly in the areas of human resource development, employment, health and housing, and to ensure that these programmes are coordinated with other international agencies and with legitimate non-racial structures in South Africa;

(b) That all non-governmental organizations now involved in voter education and other aspects of the transition to democracy in South Africa should be materially and financially supported by the international community, while their experience should be appropriated by the Transitional Executive Council;

(c) That the vast network of non-governmental organizations in South Africa with which the United Nations has maintained a close cooperation for decades should, with the ushering in of a new era, shift the forms of their activities to consolidating democratic change through development related activities;

(d) That confidence building measures such as the All Black Leaders Summit of 1 December 1993 and the bilateral talks between the parties, be encouraged and supported. Tolerance must be cultivated and avenues found for accommodating the fears of minorities;

(e) That in the interest of peace in South Africa it is imperative that all parties and groups participate in the elections to ensure as wide a representation in parliament as possible;

(f) That all political leaders should eschew the current propensity to make inflammatory utterances and war talk in order to avoid inciting their supporters and to correct the current wrong notion that violence and intimidation is a viable instrument of political interaction;

(g) That youth programmes administered either by government or non-governmental organizations should be supported by the private sector. As many youths as possible should be reached, trained and engaged in constructive endeavours;

(h) That technical and material support should be given to the new Multiparty Peace-keeping Force. At the same time, the South African Police needs to reconstruct its image and apply itself more adequately and responsibly in the exercise of its constitutional duties. Consideration should be given to disbanding the Internal Stability Unit in view of the perception that it is a liability rather than an asset in the process of transition to democracy in South Africa;

(i) That the international community should continue to show interest in the democratization process in South Africa especially with regard to the immediate concerns of the 27 April 1994 elections. The decision of some Governments and international, governmental and non-governmental organizations to monitor the elections and to provide funds for youth programmes are commendable. It is desirable that all cooperate and coordinate these activities under the United Nations umbrella so that funds can be judiciously utilized;

(j) That in the light of the General Assembly decision that the United Nations should participate in monitoring the elections, sound preparations must commence to ensure success. The 27 April 1994 elections must be effectively seen to be free and fair, otherwise the whole of southern Africa may suffer from the repercussions.

60. This report cannot be concluded without mention of the fact that issues pertaining to the enjoyment of social and economic rights by all South Africans did not receive adequate attention during the mission although some of those consulted made passing remarks on them. It is therefore proposed that another mission to South Africa be undertaken by the Special Rapporteur in May 1994, not just to assess this important component of her mandate but also to gain fresh insights into the whole process of transition to democracy in South Africa within a new context.

Annex

SCHEDULE OF THE MISSION TO SOUTH AFRICA

Wednesday, 24 November

08.15	Arrival Johannesburg
11.00	Briefing by Ms. A. King and Ms. R. Martineau, UNOMSA
14.00	Meeting with Mr. J.B. Shearar Deputy Director-General for Multilateral Affairs Department of Foreign Affairs

Thursday, 25 November

08.30	Meeting with Mr. Paul Graham Programme Director Institute for a Democratic Alternative for South Africa
10.30	Meeting with Lt. Gen. Bruyn Chief Deputy Commissioner, Functional Services South African Correctional Services
11.30	Meeting with Ms. Paula McBride and Mr. Jody Kollagen Assistant to National Director Lawyers for Human Rights
12.30	Luncheon with Mr. I. Lambinon Deputy Director-General Department of Home Affairs
15.15	Meeting with Mr. Justice R.J. Goldstone Chairman Goldstone Commission

Friday, 26 November

09.45	Meeting with Mr. Ian Liebenberg Senior Researcher Political Analyst Human Sciences Research Council
11.00	Meeting with Father Schaun Southern African Catholic Bishop's Conference
14.00	Appointment with Dr. Max Coleman Human Rights Commission of South Africa

15.30 Meeting at ANC, Regional Office, Johannesburg, with Mr. Stanly Mabizela, Department of International Affairs, and Mr. Penuell Maduna, Department of Legal and Constitutional Affairs and a member of the National Executive Committee and Mr. McCaps Motimele, Advocate, member of ANC

Saturday, 27 November

01.30 Visit to Soweto

Sunday, 28 November

Departure to Durban/Natal

16.30 Meeting with Bishop Mogoba and Mrs. Mogoba South African Council of Churches, Durban

Monday, 29 November

09.30 Briefing by UNOMSA
Mr. Ismat Steiner and Ms. Gertrude Blake

10.00 Meeting with Eric Apelgren
Regional Co-ordinator, Institute for Multi-Party Democracy

11.00 Meeting with ANC, Southern Natal Region
Mr. Bheki Cele, Head Organizer

12.00 Meeting with Dr. Z.B. Jiyane
Member of the Central Executive Committee of the Inkhatha Freedom Party

Thursday, 30 November, Capetown

10.45 Meeting with Dr. Stone
Superintendent-General
Department of Education and Culture

11.30 Meeting with Mr. A.J. Leon
Spokesman for Justice and Deputy Spokesman for Constitutional Affairs
Democratic Party

12.30 Luncheon with Mr. G.B. Myburgh
Deputy Minister of Law and Order

14.30 Meeting with Mr. R.S. Schoeman
Deputy Minister of Foreign Affairs

16.30-17.00 Meeting with Mr. H.J. Coetsee
Minister of Justice and of Defence

Wednesday, 1 December

09.30 Meeting with Dr. B.L. Geldenhuys
Deputy Minister of National Health and
Population Development

11.00 Meeting with Network of Independent Monitors
Mr. M. Balfour, Co-ordinator, Mr. J. Oliver,
Ms. V. Rose Christie and Ms. Jasmin Horder
(Executive members)

16.20 Meeting with Mr. Mulder, MP
Conservative Party

17.00 Meeting with Mr. D.P.A. Schutte
Minister of Home Affairs

Thursday, 2 December, Johannesburg

10.30 Meeting with PAC of Azania
Prof. Count Peterson, Director, Foreign Affairs
Mr. Jaki Serke, Secretary for Political Affairs
Mr. Carter D. Seleka, Secretary for Foreign Affairs

14.00 Meeting with Peter Harris
Secretary-General
National Peace Committee

End of the mission

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